IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

DONALD R. LARTIGUE §

VS. § CIVIL ACTION NO. 1:04cv182

BECKY LOFTON, ET AL. §

PARTIAL JUDGMENT

This action came on before the Court, Honorable Thad Heartfield, District Judge, presiding, and, the issues having been duly considered and a decision having been duly rendered, it is

ORDERED and **ADJUDGED** that the claims concerning plaintiff's assignment to the hoe squad are **DISMISSED** without prejudice for failure to exhaust administrative remedies.

SIGNED this the 9 day of **November**, 2005.

Thad Heartfield

United States District Judge